HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition no. 4108 of 2001 (MS)
(Old No. 37572/1999)

Azam Ali ..... Petitioner

Versus

Addl. Commissioner & others ..... Respondents

Dated: 19.8.2004

Hon. Rajesh Tandon J.

This file has been transferred from Allahabad High Court.

None appears for the parties. I have gone through the record of the case.

By the present writ petition the petition has prayed for a writ of certiorari quashing the order dated 29.1.99 passed by the Addl. Commissioner, Nainital.

Briefly stated the petitioner was granted lease of the Gov. agricultural land on 28.5.1996. The lease deed was executed by the Deputy Collector, Rudrapur. The respondent no.4 moved application on 16.6.1997 to the respondent no.2 praying for the cancellation of the lease deed. Respondent no.2 after hearing the parties had rejected the application, vide order dated 23.10.1998. Against the order dated 23.10.1998 a revision was filed by the respondent no.4 before the Commissioner, Kumaon Division. The revision was allowed by respondent no.1 and the case was remanded for reconsideration, against which the present writ petition has been filed.

In view of the fact that the Commissioner for reconsideration remanded the case. I find no ground for interference in the order passed by the revisional Court.

The writ petition lacks merit and is hereby dismissed. No order as to costs.

(Rajesh Tandon, J.)

19.8.2004
*Dhyani